

CITY OF LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for Dec 10, 2003 PLANNING COMMISSION MEETING

P.A.S.: County Final Plat No.03062
Cedar Grove Estates

PROPOSAL: A final plat consisting of 9 lots

LOCATION: South 176th Street and Old Cheney Road

LAND AREA: 159.02 acres, more or less.

CONCLUSION: Final plat is in conformance with the preliminary plat and Community Unit Plan.

<u>RECOMMENDATION:</u>	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: The southwest quarter of Section 12, T9N, R8E, in the 6th P.M., Lancaster County, Nebraska, metes and bounds description attached.

EXISTING ZONING: AG Agricultural

EXISTING LAND USE: Farm land

SURROUNDING LAND USE AND ZONING:

North: Agriculture, one dwelling, zoned AG
South: Agriculture and one dwelling, zoned AG
East: Agriculture, zoned AG
West Agriculture, zoned AG

HISTORY: Cedar Grove Estates Preliminary Plat and Community Unit Plan were approved by the Lancaster County Board on June 17, 2003.

UTILITIES: There is no public sewer available. Individual wells and waste disposal are proposed. This is in the Lancaster County Rural Water District #1.

TRAFFIC ANALYSIS: S. 176th and Old Cheney Road are graveled county roads. Old Cheney Road is shown as a rural minor collector and potential paving in the Comprehensive

Plan. Old Cheney Road is in the 1 and 6 year road plan for future paving.

ANALYSIS:

1. The final plat conforms to the approved preliminary plat.
2. The County Engineer's letter of November 14 notes requests for several minor revisions and that improvements are not in place.
3. Revisions and installation of improvements are required prior to scheduling to the County Board.

CONDITIONS:

1. Prior to scheduling this final plat onto the County Board's agenda:
 - 1.1 The Final Plat Mylar shall have the following changes made to it:
 - 1.1.1 Remove the acceptance of dedication and the resolution number from the Planning Commission Approval.
 - 1.1.2 Revise the Dedication to remove " Lincoln Electric System and LES",
 - 1.1.3 Revise the Dedication as requested by the County Engineer. To show "only one access per lot".
 - 1.1.4 Revise the plat to show the 10 foot setback for future trees and structures as described on Preliminary Plat along South 176th Street and Old Cheney Road. The utility easement should be behind this 10 foot easement.
 - 1.1.5 Provide a corrected Mylar signed in black opaque ink and six copies to the Planning Department.
 - 1.2 All improvements must be in place and approved by the County Engineer.
2. The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
 - 2.1 To submit to the County Engineer an erosion control plan.
 - 2.2 To protect the remaining trees on the site during construction and development.

2.3 To submit to lot buyers and home builders a copy of the soil analysis and water report.

2.4 To complete the private improvements shown on the preliminary plat.

2.5 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the County Attorney and filed of record with the Register of Deeds.

2.6 To relinquish the right of direct vehicular access to Old Cheney Road except for the existing residence and one farm access and to S 176th Street except for Lot 2, Shasta Lane and one farm access to Lot 9.

2.7 To comply with the provisions of the Land Subdivision Resolution regarding land preparation.

3. Submit a statement from the County Treasurer's office that there are no delinquent taxes against the land within the proposed subdivision and there are no liens for taxes which have been levied but which are not yet delinquent, and a statement that all special assessment installment payments are current as applied to said proposed subdivision All taxes against the land have been paid and are current and there are no liens for taxes which have been levied but not yet delinquent. The property taxes are due and become a lien on the property on December 31, 2003. If this plat is not approved until after January 1, 2004, the Treasurer's office statement must be prepared and dated after January 1, 2004.

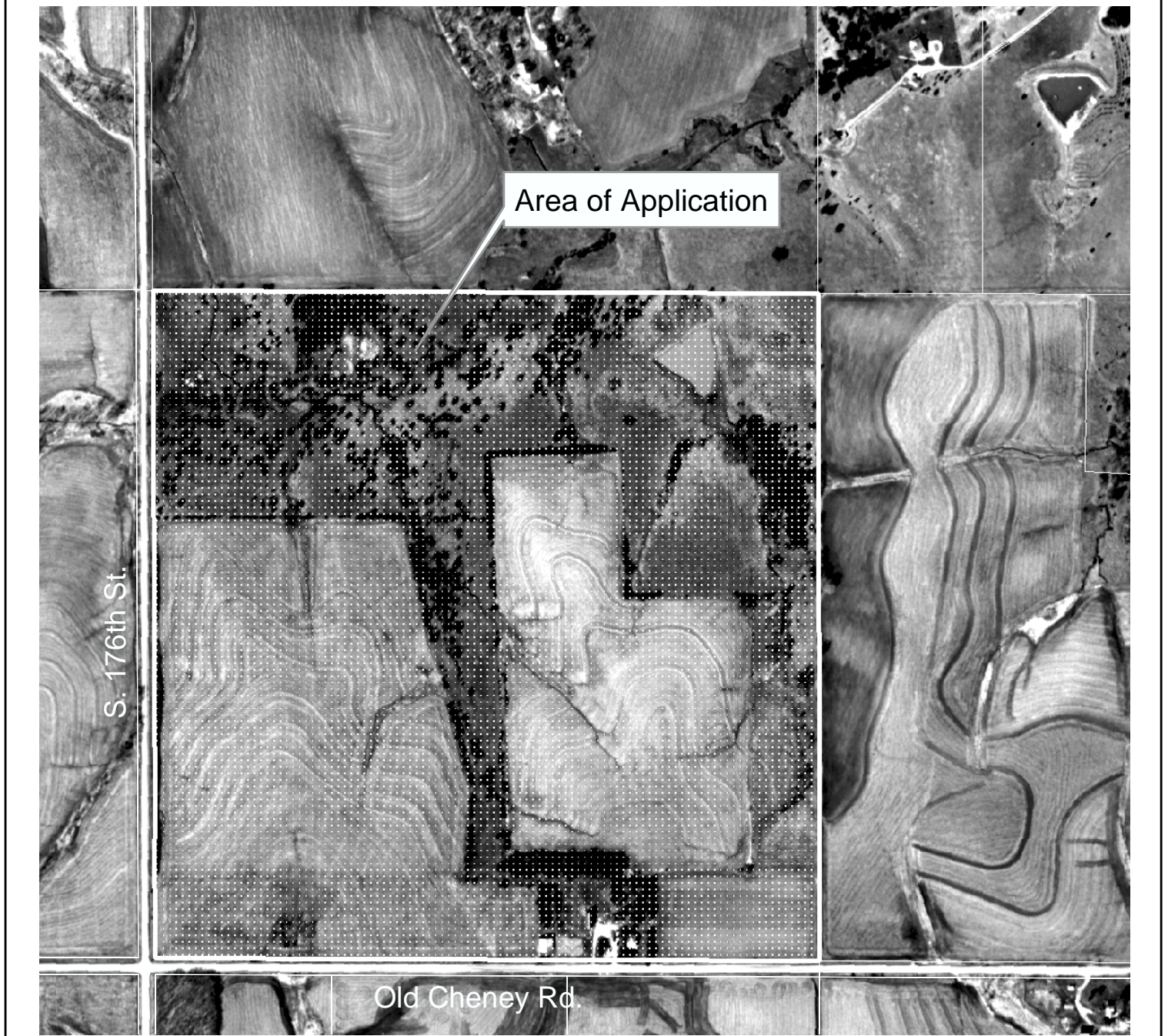
Prepared by:

Mike DeKalb
Planner
November 25, 2003

APPLICANT: Michael R. Johnson
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508
(402) 458 - 5626

OWNER: Arthur L. Knox, member
Knox Associates, LLC
920 Pine Tree Ln.
Lincoln, NE 68521
(402) 477 - 3088

CONTACT: Michael R. Johnson



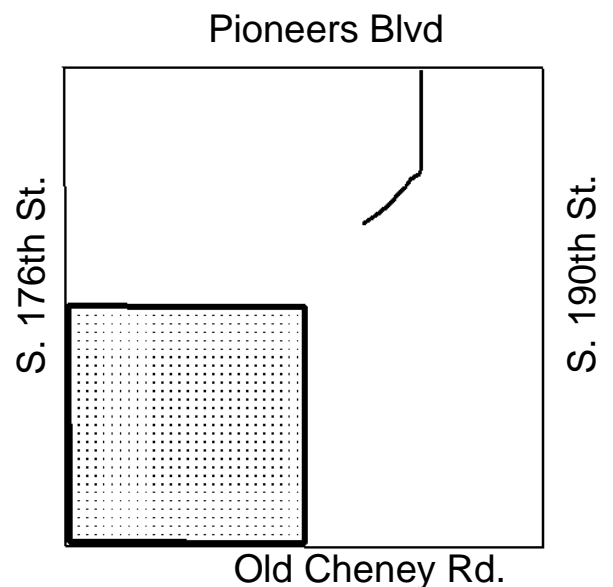
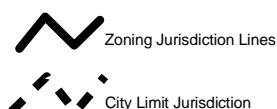
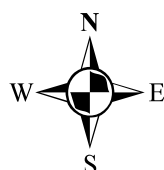
County Final Plat #03026 Cedar Grove Estates

1999 aerial

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 12 T9N R8E



CEDAR GROVE ESTATES ADDITION

FINAL PLAT

THIS PLAT BASED UPON PRELIMINARY
PLAT AND C.U.P. NO. 02026 AND
COUNTY SPECIAL PERMIT NO. 197
FOR CEDAR GROVE ESTATES ADDITION

DEDICATION

THE FOREGOING PLAT, IS KNOWN AS CEDAR GROVE ESTATES, A SUBDIVISION COMPOSED OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 9 NORTH, RANGE 8 EAST OF THE 6TH PM, LANCASTER COUNTY, NEBRASKA, AND IS MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE. THIS DEDICATION IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED, SOLE OWNERS, AND THE EASEMENTS SHOWN THEREON ARE HEREBY GRANTED IN PERPETUITY TO THE COUNTY OF LANCASTER, NEBRASKA, LINCOLN ELECTRIC SYSTEM (LES), NORRIS PUBLIC POWER (NPPD), AND ALLTEL, THEIR SUCCESSORS AND ASSIGNS, TO ALLOW ENTRY FOR THE PURPOSE OF CONSTRUCTION, RECONSTRUCTION, REPLACEMENT, REPAIR, OPERATION AND MAINTENANCE OF WIRES, CABLES, CONDUITS, FIXTURES, POLES, TOWERS, PIPES, AND EQUIPMENT FOR THE DISTRIBUTION OF ELECTRICITY; TELEPHONE STORM DRAINS; AND ALL APPURTENANCES THERETO, OVER, UPON, OR UNDER THE EASEMENTS AS SHOWN ON THE FOREGOING PLAT.

THE CONSTRUCTION OR LOCATION OF ANY BUILDING OR STRUCTURE, EXCLUDING FENCES, OVER, UPON, OR UNDER ANY EASEMENT SHOWN THEREON SHALL BE PROHIBITED.

THE CONSTRUCTION OR LOCATION OF ANY FENCE OR OTHER IMPROVEMENT, WHICH OBSTRUCTS DRAINAGE, SHALL BE PROHIBITED OVER, UPON, OR UNDER ANY STORM DRAIN EASEMENT OR DRAINAGE EASEMENT SHOWN THEREON.

ANY CONSTRUCTION OR GRADE CHANGES IN THE LES OR NPPD TRANSMISSION LINE EASEMENT CORRIDORS AREA SUBJECT TO LES AND NPPD APPROVAL AND MUST BE IN ACCORDANCE WITH THE LES AND NPPD DESIGN AND SAFETY STANDARDS.

THE STREETS SHOWN ARE HEREBY DEDICATED TO THE PUBLIC. THE ACCESS EASEMENTS SHOWN THEREON SHALL BE USED FOR PUBLIC ACCESS AND THE PUBLIC IS HEREBY GRANTED THE RIGHT OF SUCH USE.

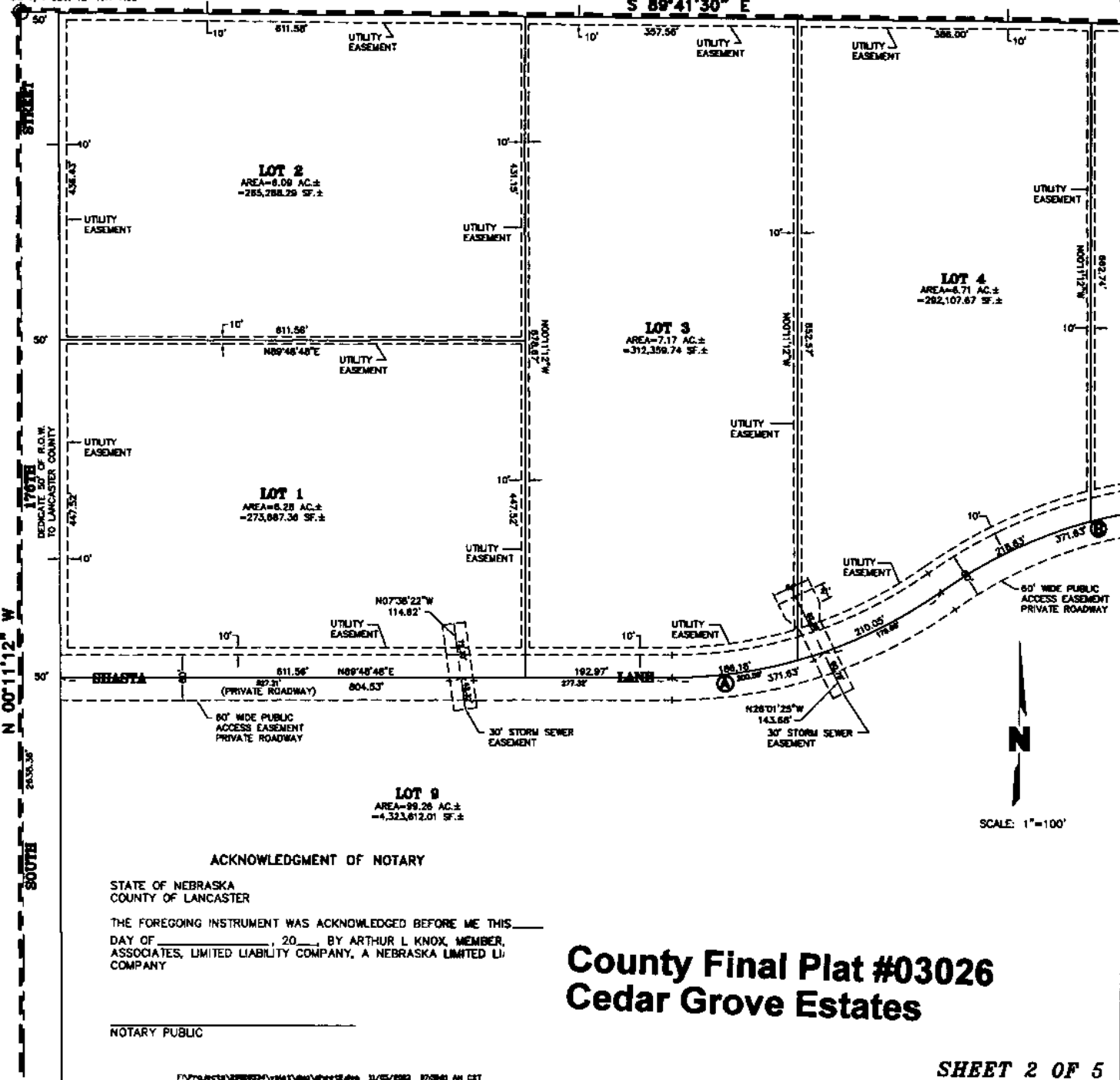
THE RIGHT OF DIRECT VEHICULAR ACCESS TO 176TH STREET FROM LOT 1 ABUTTING SAID STREET IS HEREBY RELINQUISHED.

LOT 9 IS ALLOWED ONE ACCESS TO OLD CHENEY ROAD FOR AGRICULTURAL USE, AND ONLY ONE ADDITIONAL ACCESS TO OLD CHENEY ROAD FOR THE EXISTING DWELLING. IF THE AGRICULTURAL ACCESS CHANGES USE, IT WILL RELINQUISH ACCESS TO OLD CHENEY ROAD.

WITNESS MY HAND THIS _____ DAY OF _____, 20____.

ARTHUR L. KNOX, MEMBER
KNOX ASSOCIATES, LIMITED LIABILITY COMPANY,
A NEBRASKA LIMITED LIABILITY COMPANY

NW CORNER
SW 1/4 SEC. 12-T9N-R8E



ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA
COUNTY OF LANCASTER

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____
DAY OF _____, 20____, BY ARTHUR L. KNOX, MEMBER,
ASSOCIATES, LIMITED LIABILITY COMPANY, A NEBRASKA LIMITED LI
COMPANY

NOTARY PUBLIC

County Final Plat #03026
Cedar Grove Estates

SHEET 2 OF 5

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CEDAR GROVE ESTATES ADDITION

FINAL PLAT

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PLAT AND C.U.P. NO. 02026 AND
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FOR CEDAR GROVE ESTATES ADDITION

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT I HAVE CAUSED TO BE SURVEYED THE
SUBDIVISION TO BE KNOWN AS CEDAR GROVE ESTATES ADDITION, A
SUBDIVISION COMPOSED OF THE SOUTHWEST QUARTER OF SECTION 12,
TOWNSHIP 9 NORTH, RANGE 8 EAST OF THE 6TH. P.M., LANCASTER
COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

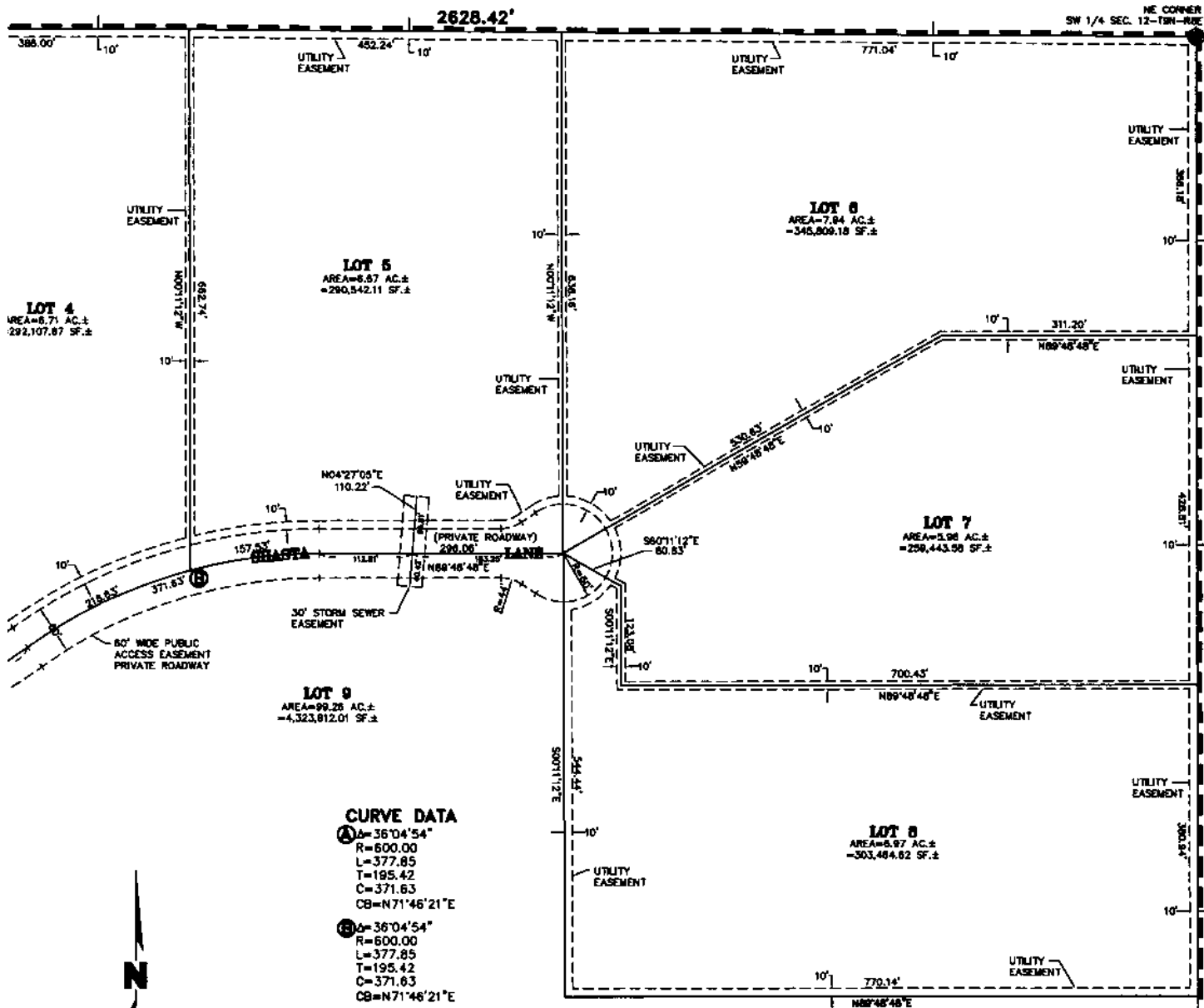
COMMENCING FROM THE SOUTHWEST CORNER OF SAID SOUTHWEST
QUARTER, SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE ON
AN ASSUMED BEARING OF NORTH 00 DEGREES 11 MINUTES 12 SECONDS
WEST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF
2,838.36 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST
QUARTER, THENCE SOUTH 89 DEGREES 41 MINUTES 30 SECONDS EAST
ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF
2,628.42 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST
QUARTER, THENCE SOUTH 00 DEGREES 08 MINUTES 40 SECONDS EAST
ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF
2,834.88 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHWEST
QUARTER, THENCE NORTH 89 DEGREES 48 MINUTES 19 SECONDS WEST
ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF
2,628.44 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A
CALCULATED AREA OF 6,927,053.89 SQUARE FEET OR 159.0233 ACRES,
MORE OR LESS.

PERMANENT MONUMENTS HAVE BEEN FOUND OR SET AT ALL BOUNDARY
CORNERS, STREET INTERSECTIONS, BLOCK CORNERS, POINTS OF
TANGENCY AND CURVATURE AS SHOWN ON THE PLAT, TEMPORARY
MARKERS HAVE BEEN PLACED AT ALL LOT CORNERS AND THE OWNER
WILL POST A SURETY TO INSURE THE PLACING OF PERMANENT
MONUMENTS AT ALL SUCH LOT CORNERS PRIOR TO THE CONSTRUCTION
ON OR CONVEYANCE OF ANY LOT SHOWN ON THIS FINAL PLAT. ALL
DIMENSIONS ARE CHORD MEASUREMENTS UNLESS OTHERWISE SHOWN, AND
ARE IN FEET AND DECIMALS OF A FOOT.



DATE

MICHAEL R. JOHNSON
OLSSON ASSOCIATES
1111 LINCOLN MALL
LINCOLN, NE. 68508



CURVE DATA

① Δ=36°04'54\"/>

② Δ=36°04'54\"/>

SCALE: 1\"/>

County Final Plat #03026
Cedar Grove Estates

PLAT PREPARED BY MICHAEL R. JOHNSON, SURVEYOR

SHEET 3 OF 5

XXXXX-3

CEDAR GROVE ESTATES ADDITION

FINAL PLAT

THIS PLAT BASED UPON PRELIMINARY
PLAT AND C.U.P. NO. 02026 AND
COUNTY SPECIAL PERMIT NO. 197
FOR CEDAR GROVE ESTATES ADDITION

SECTION TIES

NOTE: ALL DISTANCES ARE HORIZONTAL

SW CORNER SW4 12-8-8
FD. 2" ALUM. CAP
0.5' BELOW GRAVEL SURFACE

45.50' NE. 600 NAIL IN
POWER POLE
38.25' NW. 5/8" REBAR
46.78' SE. 1" IRON PIPE
44.88' SW. NE. CORNER OF
TELEPHONE RISER

NW CORNER SW4 12-8-8
FD. 2" ALUM. CAP
0.5' BELOW GRAVEL SURFACE

39.85' W. 5/8" REBAR
43.60' SW. 5/8" REBAR
32.82' E. NAIL IN CORNER
FENCE POST
39.15' NE. 5/8" REBAR

NE CORNER SW4 12-8-8
FD. 1" IRON PIPE
0.2' ABOVE GROUND

2.9' W. BARBED WIRE FENCE
RUNNING N-S
8.2' N. BARBED WIRE FENCE
RUNNING E-W
0.2' N. 30" TREE S. SIDE

SE CORNER SW4 12-8-8
FD. 2" ALUM. CAP
0.7' BELOW GRAVEL SURFACE

33.00' N. 1" PIPE
34.30' SW. 5/8" REBAR
33.20' S. 600 NAIL IN BRACE
POST
88.90' NE. 600 NAIL IN NW.
FACE OF POWER POLE

2838.36'
2838.36'
DEDICATE 50' OF R.O.W.
TO LANCASTER COUNTY

1767.81'

50'
50'
DEDICATE 50' OF R.O.W.
TO LANCASTER COUNTY

SW CORNER
SW 1/4 SEC. 12-T1N-R2E

LOT 9
AREA=99.28 AC.±
=4,323,612.01 SF.±

County Final Plat #03026
Cedar Grove Estates

DEDICATE 50' OF R.O.W.
TO LANCASTER COUNTY

CRUISEY

ROAD

N 89°46'19" W

CEDAR GROVE ESTATES ADDITION

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LOT 9
AREA=98.28 AC.±
=4,323,812.01 SF.±



SCALE: 1"=100'

County Final Plat #03026
Cedar Grove Estates

2634.86'

1408.73'

2578.48'

2628.44'

OLD

2626.44'

DEDICATE 50' OF R.O.W.
TO LANCASTER COUNTY

CHERRY

ROAD

SE CORNER
SW 1/4 SEC. 12-T2N-R0E

XXXXX-5

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SHEET 5 OF 5



OLSSON ASSOCIATES
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS

November 10, 2003

Mr. Marvin S. Krout
Planning Director
Planning Department
County-City Building
555 South 10th Street
Lincoln, Nebraska 68508

Re: Cedar Grove Estates Addition
Final Plat
OA Project No. 2-2002-0534-7-11-502

Dear Marvin:

Enclosed are 10 prints of the above referenced Final Plat, a check in the amount of \$350.00 for the application fee, the completed application form, and one set of prints reduced to 8½ x 11. The proposed plat is generally located at 176th Street and Old Cheney Road, Located in the Southwest Quarter of Section 12, T9N, R8E, and more particularly described in the Surveyor's Certificate. The County Treasurer is preparing the tax status form and an ownership certificate is being prepared by Union Title Company.

The proposed plat consists of 9 lots. The Owner of this property is Knox Associates Limited Liability Company, 920 Pine Tree Lane, Lincoln, Ne 68521, Phone No. (402) 477-3088, Mr. Arthur L. Knox is a Member of the LLC., and is the contact for the owner.

Please contact me if you have any questions or require additional information.

Sincerely,

Michael R. Johnson, R.L.S.

Encls.

cc: Arthur L. Knox
Jered Morris



R.R. 1 BOX 56
ROCA, NEBRASKA 68430
402/423-3855
FAX 402/423-8090

AREA 2
SERVICE CENTER

November 18, 2003

Mike Dekalb, Project Planner
555 S. 10th St #213
Lincoln, NE 68508

RE: Cedar Grove Estates

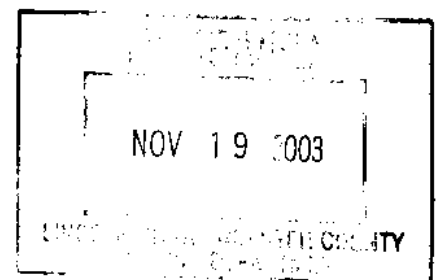
Dear Mike,

I have reviewed the subject plat, and see easements in place as requested.

Thanks for your cooperation.

Sincerely,

Rick Volmer, Construction Superintendent Area 2



Lancaster

DON R. THOMAS - COUNTY ENGINEER


County

Engineering

Department

DEPUTY- LARRY V. WORRELL
COUNTY SURVEYOR



DATE: November 14, 2003
TO: Mike DeKalb
Planning Department
FROM: Larry V. Worrell 
County Surveyor
SUBJECT: CEDAR GROVE ESTATES
FINAL PLAT AND CUP

Upon review, this office has no direct objection to the submittal subject to the following:

1. Add to dedication that each lot will only be permitted one residential access.
2. Final Plat not to be forwarded to County Board because improvements have yet to be completed.
3. Final Plat should include the 10 feet setback for future trees and structures as described on Preliminary Plat along South 176th Street and Old Cheney Road. The utility easement should be behind this 10 feet setback.

LVW/DP/cm

SUBDIV.WK/Cedar Grove Estates/Final Plat and CUP.Mem

